

REMARKS

This application has been reviewed in light of the Decision on Appeal dated January 10, 2011.

Claims 1-21 are pending in the application. Claims 2 and 12 have been added. No new matter has been added. Independent claims 1 and 11 have been amended. Dependent claims 5, 6, 8, 9, and 13-21 have been amended to correct dependencies. The Examiner's reconsideration of the rejection in view of the following remarks is respectfully requested.

On Appeal, claims 1-19 stood rejected under 35 U.S.C. §102(b) as being anticipated by McMullan, Jr., et al. (U.S. Patent No. 5,654,746) (hereinafter 'McMullan').

The Decision on Appeal stated, in reference to independent claims 1 and 11, that the phrase 'service provider-accessible portions of the information' is not understood to be portions *only* accessible by the service provider. The Appeal Board then continued by stating that the recited control mechanism can operate on portions other than just the service provider portions. This led to discussion on the merits where it was stated that McMullan's application of a control transaction that would disable a user's hardware has the effect of designating other information stored in the adapter (including at least some service-provider accessible portions) as inaccessible to the user.

Applicants have amended independent claims 1 and 11 to overcome the Appeal Board's rejection. As an example, claim 1 has been modified to read (in part):

"a control mechanism disposed at a location of the service provider which accesses each of the access devices to modify stored information on a corresponding access device of a corresponding end user and thereby remotely designate portions of the information

as service provider-accessible only to prevent access of the designated information by the corresponding end user.”

This is contrary to McMullan which only teaches an “adapter control transaction which can disable a particular adapter, for example, for non-payment of subscriber bills and the like.” (col. 17, lines 51-54) The Appeal Board construed this to mean that McMullan can stop access to information that was previously accessible to a user (e.g., the user can no longer access a game that the user previously always had access to). McMullan does not “*designate portions of the information as service provider-accessible only*” as found in independent claims 1 and 11 of the present application. McMullan cannot designate portions of the information for protection. It can only disable a particular adapter. It cannot remotely, selectively control which portions of the adapter or information are disabled.

Additionally, new claims 2 and 12 include the control mechanism determining if an end user has accessed the service provider only accessible portions of the information (for support in specification, see e.g., page 4, lines 14-17). This is nowhere disclosed in McMullan.

In view of the foregoing, the applicants respectfully request that the rejections of the claims set forth in the Final Office Action of October 10, 2007 be withdrawn, that pending claims 1-21 be allowed, and that the case proceed to early issuance of Letters Patent in due course.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 07-0832.

Respectfully submitted,

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